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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,762	01/04/2001	Jimmy Randolph Lewis	29488/36815	3783

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EXAMINER

SHAPIRO, JEFFERY A

ART UNIT PAPER NUMBER

3653

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/754,762	LEWIS ET AL.	
	Examiner	Art Unit	
	Jeffrey A. Shapiro	3653	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/26/06.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7,8,10-19 and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 and 29-36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7,8,10-19 and 21-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7-8, 10-19 and 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bastian II, et al (US 6,650,225 B2) in view of Takizawa (JP 2000-118641).

As described in **Claims 7, 13, 18, 23 and 24**, Bastian discloses at least one number display (76) and a container display (135 or 136). See also col. 8, lines 1-30. Bastian also discloses a computer ((20). Regarding a subsequent pick, note that once the current pick operation is completed, the operator presses a service complete button (46), and the next or subsequent pick is then shown. Also note that a "current pick" may contain several items to be picked from the same bin, in which case a subsequent pick would embody one of the several items from the same bin.

As described in **Claims 11, 14, 22 and 25**, Bastian discloses the operator pushing an "operation complete button" (36 or 56) to indicate to the system that the current pick operation is complete. See col. 9, lines 5-11. The computer (20) then transmits new information. See col. 16, lines 20-26.

Regarding **Claims 10, 15, 21 and 26**, Bastion discloses a multi-purpose exception button (34) that enables the operator to indicate to the computer that a quantity of items is less than the number required. See col. 6, lines 28-41.

Regarding **Claims 8 and 19**, Bastion discloses a centrally located indicator and display, as illustrated in figure 1.

As described in **Claim 12**, bin indicators (41) are associated with particular storage bins. See figure 1.

Regarding **Claims 16 and 27**, Bastion directs operators to bin sections where items are to be picked in certain quantities. See col. 12, lines 3-10.

Regarding **Claims 17 and 28**, Bastion's computer directs operators to various locations based on various criterion, including order received, orders with problems that need to be reworked, etc. See col. 1, lines 11-15 and 28-33 as well as col. 16, lines 40-65. Note also that Bastion's system runs on orders received, and if a certain items are popular, operators will be directed to the locations of the most requested items by default.

As described in **Claims 7, 13, 18 and 24**, Bastion does not expressly disclose, but Takizawa discloses displaying a direction indicator (8), as illustrated in figures 2 and 4, which provides an operator with visual information in the form of an arrow that indicates the route to take to perform the next pick task.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have incorporated a direction indicator in the form of an arrow in the display devices (76, 135 or 136) of Bastion.

The suggestion/motivation would have been to provide "information which is necessary to complete the service". See Bastion, col. 14, lines 37-42.

### ***Response to Arguments***

3. Applicant's arguments with respect to Claims 7-8, 10-19 and 21-28 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takizawa (US 6,685,031 B2) is cited as a US equivalent translation of Takizawa (JP2000-118641), cited above.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (571)272-6943. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene O. Crawford can be reached on (571)272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

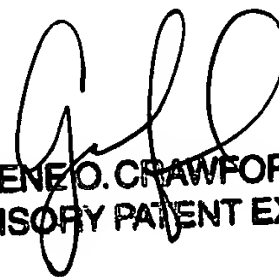
Art Unit: 3653

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey A. Shapiro  
Examiner  
Art Unit 3653

March 31, 2006



GENE O. CRAWFORD  
SUPERVISORY PATENT EXAMINER